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In re Application of
OSTERMANN, Dirk *et al*
U.S. Application No.: 09/509,215
PCT No.: PCT/AU98/00813
Int. Filing Date: 25 September 1998
Priority Date: 25 September 1997
Attorney Docket No.: 47763-5014
For: APPARATUS FOR REMOVING A
SAMPLE FROM AN ARRAY . . .

DECISION ON
PETITION FOR REVIVAL
UNDER 37 CFR 1.137(b)


The "Petition to Revive an Abandoned Application under 37 CFR §1.137(b)" filed 07 February 2001 in the above-captioned application is hereby **GRANTED** as follows:

The above-captioned application was held abandoned for failing to timely respond to a Notification of Missing Requirements mailed 17 May 2000. The appropriate response in this case is to submit a declaration in compliance with 37 CFR 1.497(a) & (b) and a surcharge fee pursuant to 37 CFR 1.492(e) along with the petition fee of \$1,240.00.

A declaration in compliance with 37 CFR 1.497(a) & (b) has been filed. The petition fee of \$1,240.00 and surcharge fee of \$130.00 has been paid. Applicants' statement that "the entire delay in filing the required response to the Office Action from the due date for the required response until the filing of this petition was unintentional" satisfies the requirements of 37 CFR 1.137(b)(3). Therefore, the requirements of 37 CFR 1.137(b) have been satisfied.

Applicants have completed the requirements for acceptance under 35 U.S.C. § 371(c). The application has an international filing date of 25 September 1998, under 35 U.S.C. 363, and a 35 U.S.C. 371(c) date of **07 February 2001**.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.


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